

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 02-2998

Richard Evan Harms,

Appellant,

v.

John Snow, Secretary, Department of
the Treasury Agency,¹

Appellee.

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Appeal from the United States
District Court for the
Western District of Missouri.

[UNPUBLISHED]

Submitted: March 14, 2003
Filed: March 17, 2003

Before BOWMAN, WOLLMAN, and LOKEN, Circuit Judges.

PER CURIAM.

Richard Evan Harms brought this action under Title VII and the Americans with Disabilities Act, alleging that during his employment with the Internal Revenue Service, he was denied promotions, subjected to unequal terms and conditions of employment, and discharged, all on account of his race and gender; that he had been the victim of retaliation; and that his disability had not been accommodated. The

¹John Snow has been appointed to serve as Secretary of the Department of the Treasury, and is substituted as appellee pursuant to Federal Rule of Appellate Procedure 43(c).

district court² dismissed his claims, and he appeals. After careful review of the record, we affirm.

Harms did not exhaust his administrative remedies, which is a prerequisite to filing suit in federal court. See McAdams v. Reno, 64 F.3d 1137, 1141 (8th Cir. 1995). Although he initially pursued his claims with the Merit System Protection Board, he subsequently abandoned those claims. As a result, he is now precluded from raising them in this civil action. See id. at 1142.

Accordingly, we affirm.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

²The HONORABLE ORTRIE D. SMITH, United States District Judge for the Western District of Missouri.